

FILED: 1/21/09

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

U.S. DISTRICT COURT  
EASTERN DISTRICT COURT  
DAVID J. MALAND, CLERK

UNITED STATES OF AMERICA

vs.

CODY ALLEN BOGAN

§  
§  
§  
§  
§

Case No. 4:06cr152  
(Judge Schell)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the above-referenced criminal action, this court having heretofore referred the request for modification of Defendant's supervised release to the United States Magistrate Judge for proper consideration. The court has received the report of the United States Magistrate Judge pursuant to its order. As Defendant has waived his right to object, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court. It is, therefore,

**ORDERED** that the Magistrate Judge's Report is **ADOPTED** as the opinion of the court.

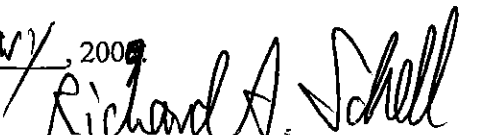
It is further **ORDERED** that Defendant's supervised release is hereby **REVOKED**.

It is further **ORDERED** that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months, with no supervised release to follow.

It is further **ORDERED** that \$192.50 restitution is due and payable immediately. The court recommends that Defendant's term of imprisonment be carried out in an appropriate Ft. Worth facility.

**IT IS SO ORDERED.**

SIGNED this 20<sup>th</sup> day of January, 2009.

  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE